

**REMARKS**

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed November 21, 2006. Claims 1-16 and 18-35 stand rejected. In this Amendment, claims 1-3, 12, 13, 16, 25-33 and 35 have been amended. No new matter has been added.

**35 U.S.C. §103**

Claims 1-4, 6-13, 16, 19-26, and 28-34 are rejected under 35 USC §103(a) as being unpatentable over Goldman et al. (U.S. Patent Application No. 2002/0128805, hereinafter “Goldman”), in view of Tan, et al., (Article: “Steady-State Regression Analysis and Optimization of Multivariate Plasma Etching System,” hereinafter “Tan”). Applicants respectfully traverse the rejection and respectfully submit that the alleged combination of the cited references does not disclose each element of the recited claims. Applicants discuss the rejection below as it applies to independent claims 1, 12, 13, 16, 25, and dependent claims 2-11, 18-24 and 26-34.

Claim 1 recites “allowing a user to specify that the collected data is not a linear function of time, and time-scaling the collected data to make the collected data appear as a linear function in a segment of time ....” The Examiner acknowledges that Goldman does not disclose “time-scaling” or linearization of collected data and cites Tan for such teaching, contending it would be obvious to combine Goldman with Tan to produce the present invention. Applicants respectfully disagree.

While Tan discloses scaling a model, it does not teach or suggest allowing a user to specify that data collected from running designed experiments is not a linear function of time,

and then time-scaling the collected data to make the collected data appear as a linear function in a segment of time, as required by claim 1. Hence, Tan lacks the same limitations that are missing from Goldman. Similar limitations are also included in independent claims 12, 13, 16 and 25. Thus, Goldman and Tan, taken alone or in combination, do not teach or suggest the present invention as claimed in claims 1, 12, 13, 16 and 25, and their corresponding dependent claims.

In view of the above, Applicants respectfully submit that claims 1-4, 6-13, 16, 19-26 and 28-34 are unobvious over the cited references and respectfully request that the rejection under 35 USC §103(a) of these claims be withdrawn.

Claims 5, 14, 15, 18, 27 and 35 are rejected under 35 USC §103(a) as being unpatentable over Goldman in view of Tan, as applied to claims 1, 13, 16 and 25 above, and further in view of Daft et al. (U.S. Patent Application No. 2003/0154062, hereinafter “Daft”). Applicants respectfully traverse the rejection and respectfully submit that the alleged recombination of the cited references does not disclose each element of the recited claims.

As discussed above, each of Goldman and Tan fails to teach or suggest allowing a user to specify that data collected from running designed experiments is not a linear function of time, and then time-scaling the collected data to make the collected data appear as a linear function in a segment of time, as required by claims 1, 12, 13, 16 and 25. These limitations are also missing from Daft. Thus, the cited references, taken alone or in combination, do not teach or suggest the present invention as claimed in claims 1, 12, 13, 16 and 25. Claims 5, 14, 15, 18, 27 and 35 depend directly or indirectly from claims 1, 12, 13, 16 and 25, and are therefore patentable over the cited references for the same reasons.

In view of the above, Applicants respectfully submit that claims 5, 14, 15, 18, 27 and 35 are unobvious over the cited references and respectfully request that the rejection under 35 USC §103(a) of these claims be withdrawn.

**Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Respectfully submitted,

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